



AF/S  
Jew

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/073,269

Applicant: KONAKA et al.

Filed: February 13, 2002

TC/AU: 2675

Examiner: A. Nelson

Docket No.: 401751

Customer No.: 23460

**NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AF  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed December 30, 2005, rejecting the following claims: 1-12.

**1. Pre-Appeal Brief Request for Review**

A "Pre-Appeal Brief Request for Review" is  filed concurrently herewith or  is not being filed.

**2. Status of Applicants**

This application is on behalf of  other than a small entity or  a small entity.

**3. Fee for Filing Notice of Appeal**

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for:  other than a small entity or  a small entity.

**Notice of Appeal Fee due \$500.00**

**4. Extension of Time**

Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$1,020.00.

07/03/2006 SZEWDIE1 00000137 121216 10073269  
01 FC:1401 500.00 DA  
02 FC:1253 1020.00 DA

- An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$1,020.00**

#### 5. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$ 500.00
Extension Fee (if any)	\$ 1,020.00

**Total Fee Due: \$1,520.00**

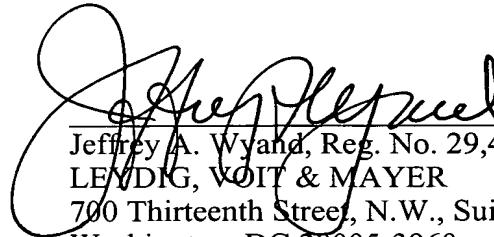
#### 6. Fee Payment

- Attached is a check in the sum of \$
- Charge Account No. 12-1216 the sum of \$1,520.00. A duplicate of this transmittal is attached.

#### 7. Fee Deficiency

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



\_\_\_\_\_  
Jeffrey A. Wyand, Reg. No. 29,458  
LEV/DIG, VOIT & MAYER  
700 Thirteenth Street, N.W., Suite 300  
Washington, DC 20005-3960  
(202) 737-6770 (telephone)  
(202) 737-6776 (facsimile)

Date: *June 30, 2006*